

Thomas-Jensen
Affirmation
(redacted)

Exhibit # 52

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

STATE OF NEW YORK; et al.,

Plaintiffs,

v.

DONALD TRUMP, in his official capacity as
President of the United States; et al.,

Defendants.

C.A. No. 1:25-cv-00039-JJM-PAS

DECLARATION OF JAMES K. TOKIOKA

I, James K. Tokioka, declare as follows:

1. I am a resident of the State of Hawai‘i. I am over the age of 18 and have personal knowledge of all the facts stated herein, except to those matters stated upon information and belief; as to those matters, I believe them to be true. If called as a witness, I could and would testify competently to the matters set forth below.

2. I am currently employed by the State of Hawaii Department of Business, Economic Development and Tourism ("DBEDT") as its Director.

3. The Hawai‘i Green Infrastructure Authority ("HGIA") is an administratively attached agency of DBEDT and is responsible for filling market gaps to accelerate Hawaii’s transition to clean energy and fight climate change.

4. As the DBEDT Director, I also serve as chairperson of the HGIA and have personal knowledge of the federal funding received by the HGIA.

5. The HGIA is allocated and authorized to receive \$62,450,000.00 from the Environmental Protection Agency's Solar for All program, a part of the EPA's Greenhouse Gas Reduction Fund.

6. The purpose of these funds is to provide low-cost, flexible financing to install rooftop solar panels and storage on residential dwellings, multi-family projects, and through the financing of community solar projects. We anticipate that the funds will assist over 3,500 low-income households and families living in disadvantaged communities to lower their energy burden.

7. The HGIA's budget for this year has relied on the Solar for All funds, and we made plans and allocated funding for staffing, marketing, communications, technical assistance and community outreach based on the anticipated receipt of Federal funding promised.

8. Any pause in our federal funding would disrupt the pace and funding of eligible installations, resulting in a delay of relief to these low-income families with the highest electricity rates in the country.

9. Additionally, thus far, we have accrued almost \$1 million in reimbursable expenditures, with the uncertainty of not getting reimbursed remaining a significant concern.

10. On January 29, 2025, the HGIA's ASAP.gov account was not working. According ASAP.gov, the HGIA's Solar for All account was designated as "suspended." I understand that the suspension was subsequently confirmed on a phone call with an ASAP official. My understanding is that no reason for the suspension has been provided.

11. This situation has resulted in confusion and concern for the HGIA, and from the solar industry and disadvantaged communities.

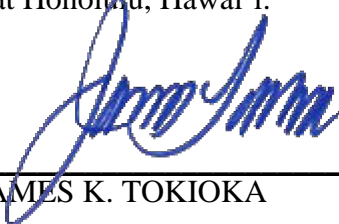
12. As of February 5, 2025, at 4:47, p.m., Eastern Standard Time, according to ASAP.gov web portal, the HGIA's Solar for All account is still designated as "suspended." Exhibit A attached to this declaration is a true and correct copy of the ASAP.gov Account Profile Inquiry page for this account with the timestamp in the right-hand corner, as provided to me by staff.

13. We continue to be concerned that the funding will again be delayed or denied because the account remains "suspended" without any known explanation from the EPA.

14. If the federal funding remains, or is again, paused, blocked, denied, or delayed suddenly, it will negatively impact projects currently being installed as well as shovel-ready projects poised for financing.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 5, 2025, at Honolulu, Hawai'i.



JAMES K. TOKIOKA

EXHIBIT A



Account Profile Inquiry

Date: 02/05/2025
Time: 4:47 PM

ALC/Region:

68128933

Agency Short Name:

RTP-Grants

Account ID:

Recipient ID:

Recipient Short Name:

HGIA

Inquiry Results:

ACCOUNT DETAILS

Requestor ID : 1514715
Account ID :
Account Description : SOLAR FOR ALL - HI FINANCING P
1031/LOC Account : No
Account Type : Regular Account
Group ID :
Control Account : No
Account Status
Indicator : Suspended
Available Balance : \$62,050,000.00
Create Date : 09/24/2024
Begin Date : 05/01/2024
Performance Period
End Date : 04/30/2029
End Date : 08/30/2029
TAS Distribution
Method : Percentage by Account
Allow Book Entry
Adjustment : Yes
Allow Warehoused
Payments : Yes
CMIA Indicator : No

CUMULATIVE AUTHORIZATIONS

Cumulative
Authorized Amount : \$62,050,000.00
Cumulative
Authorized Amount
Reset Period :
Annual Reset Month :

GRANT DETAILS

Grant : Yes
Federal Award
Identification Number
(FAIN) : 5H84091801
CFDA Number : 66959.000
Total Estimated Grant
Amount : \$0.00

AGENCY PAYMENT REVIEW

Agency Review : No
Threshold Amount :
Reason for Review :

DRAW AMOUNTS

Max Total Draw Amount :
Max Daily Draw Amount :
Max Monthly Draw Amount :
Max Quarterly Draw Amount :

AUTOMATED AUTHORIZATION RENEWALS

Authorized Renewal
Amount : \$0.00
Certified Date :
Renewal Frequency :
Pending Renewal
Frequency :
Pending Automated
Renewal Amount : \$0.00
Rollover Reset Quarter :
Default Action :

EXHIBIT A